

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
WESTERN DIVISION**

Tsenguun (Chris) Bulgan,

Plaintiff,

v.

J&A Services, LLC, and  
Continental Resources, Inc.,

Defendant.

CASE NO. 1:23-cv-00149

**AMENDED SCHEDULING/DISCOVERY PLAN**

The parties certify that in advance of the February 26, 2024 status conference with the Court, they conferred by email to discuss an amended proposed discovery plan in light of the continuance of the trial of this matter. After conferring and obtaining a new trial date from the Court, counsel for the parties have agreed upon the following:

- (1) The parties propose the following discovery plan:
  - (a) Discovery will be needed on these subjects: **Liability and damages.**
  - (b) Disclosure, discovery, or preservation of electronically stored information should be handled as follows: **The parties will meet and confer to stipulate on a procedure for production of electronically stored information.**
  - (c) The parties have discussed any issues regarding preservation of discoverable information as follows: **In the event any issues arise, the parties will attempt to meet and confer to resolve those issues.**

- (d) The parties have discussed possible need for a protective order as follows: **The litigation might involve the production of commercially sensitive information, including documents that contain proprietary information. The parties will submit a proposed protective order that permits documents to be marked as “confidential”.**
- (e) If this is a case that will involve the discovery of medical, mental health, employment, education, tax, or workers compensation records, the parties have agreed to the following with respect to who will secure these records and how the discovery of the records will be handled (*it will not be a sufficient answer that the parties have not addressed the issue or it will be considered later*): **Plaintiff will provide fully executed and unqualified authorizations to Defendants so that Defendants can obtain the requested records. Defendants will give Plaintiff all records that are received in response to the authorizations.**
- If the parties have not reached an agreement all or in part, the following is what the parties have not been able to agree to and the reasons why (*if applicable, this section must be completed*): **N/A.**
- (f) The parties have agreed to the following maximum number of interrogatories **per party: 25 interrogatories may be served by each party.**
- (g) The parties have agreed to the following maximum number of requests for admissions **per party: 35 requests for admissions may be served by each party.**
- (h) The parties have agreed to the following maximum number of requests for production of documents **per party: 45 requests for production may be served by each party**

- (i) The parties have agreed to the following maximum number of depositions **per party: 12 depositions may be taken by each party.**
- (j) The parties agree that any third-party discovery that occurs (e.g., subpoenas duces tecum, third-party depositions) will not count toward the above limits.
- (k) The parties further agree that any party may seek consent of another party, or leave of Court, to propound additional discovery or take additional depositions in excess of the limits above.
- (l) The parties will endeavor to complete any depositions taken only for presentation at trial at least **30** days prior to trial, subject to the identification and availability of trial witnesses. For all witnesses deposed at least 40 days before trial, deposition designations shall be submitted at least 25 days before trial; objections and counter designations shall be submitted at least 15 days before trial. Objections and cross-counter designations, if any, to the counter designations shall be submitted at least 10 days before trial. If any witness is deposed within 40 days of trial, the parties will meet and confer on reasonable deadlines for submission of deposition designations, counter-designations, cross-counter designations, and objections.
- (m) The parties have agreed that all fact discovery will be completed by the following deadline, with all written discovery to be served a minimum of thirty (30) days prior to the deadline: **12/12/2024**
- (n) The parties have agreed on the following deadline for discovery motions: **12/12/2024**
- (o) An appropriate time for a mid-discovery status conference would be: **8/15/2024**

- (p) The parties have agreed on the following deadlines for exchanging complete expert witness reports:
- 10/15/2024** for plaintiff(s);
- 12/5/2024** for defendant(s); and
- 1/9/2025** for any rebuttal experts.
- (q) The parties have agreed on the following deadline to complete discovery depositions of expert witnesses: **2/19/2025**
- (2) The parties have agreed to the following deadlines for filing motions:
- 4/25/2024** motions to join additional parties;
- 4/25/2024** motions to amend pleadings;
- 6/12/2024** motions to amend pleadings to add punitive damages claims;
- 12/19/2024** dispositive motions (e.g. summary judgment).
- (3) The parties have discussed alternative dispute resolution and plan as follows:
- ☐ A court-hosted settlement conference;
- ☒ Private mediation; or
- ☐ Other (explain):
- (4) The parties shall be ready to evaluate the case for settlement purposes by: **11/14/2024**
- (5) The parties **will not** waive their rights to proceed before a district judge and consent to have a magistrate judge conduct all further proceedings in the case, including the trial, and order for entry of a final judgment.
- (6) Trial of this case will be **jury**.
- (7) The estimated length of trial is 5 days.

Dated this 28th of February, 2024.

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**ORDER**

The Court **ADOPTS** the parties' Amended Scheduling/Discovery Plan without any additions or modifications.

**IT IS SO ORDERED.**

Dated this 28th of February, 2024.

/s/ Clare R. Hochhalter

Clare R. Hochhalter, Magistrate Judge  
United States District Court